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Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 5 January 2006 from the Permanent Mission of Greece to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Greece to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and, with reference to the latter's note dated 18 July 2005, has the honour to submit herewith the additional report of Greece on the implementation of Security Council resolution 1540 (2004) (see annex).

It is further noted that part of the Greek legislation related to the implementation of Security Council resolution 1540 (2004) is under revision in order to fully respond to obligations undertaken by Greece through its participation to relevant international treaties.

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Annex to the note verbale dated 5 January 2006 from the Permanent Mission of Greece to the United Nations addressed to the Chairman of the Committee

OP1 and related matters from OP5, OP6, OP8 (a), (b), (c) and OP10

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements?	YES	If YES, indicate relevant information (i.e. signing, accession, ratification, entering into force etc)
1	General statement on non-possesion of WMD		Greece is committed to disarmament and non-proliferation and does not provide any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. Greece is a state party to all regimes for export controls and non-proliferation of nuclear weapons and WMD's (NSG, MTCR, Wassenaar, Australia Group & Zangger Committee). In addition Greece applies European Regulations regarding Export Controls (EU Code of Conduct) and EU Regulation 1334/2000 (as ammended by EU Regulation 1504/2004.
3	General statement on non-provision of WMD and related materials to non-State actors		same as above
12	Nuclear Weapons Free Zone/ Protocol(s)		

OP2 - Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violations be penalized?	National legal framework YES // If YES, indicate source document of national implementation law	Enforcement: civil/criminal penalties and others YES // If YES, indicate source document
1 manufacture/produce	Greece signed the BTWC in 1972 and ratified it in 1975 (Law 126/1975). Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	Violations of the law are punishable in accordance with the provisions of article 8, Law 936/79. Also applicable are articles 187 and 187A of the Penal Code (acts of terrorism)
2 acquire	Law 126/1975. Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	Penal Code, Art. 187 and 187A (acts of terrorism)
3 possess	Law 126/1976. Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	Penal Code, Art. 187 and 187A (acts of terrorism)
4 stockpile / store	Guidelines including penalties are defined in Law 936/1979 (Articles 1 & 8). Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	same as above, as well as Law 126/1975.
5 develop	Law 126/1976. Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	same as above, as well as Law 126/1975.
6 transport	Guidelines including penalties are defined in Law 936/1979 (Articles 1 & 8). Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	same as above

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7	transfer	Guidelines including penalties are defined in Law 936/1979 (Articles 1 & 8). Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	same as above
8	use	Law 126/1975. Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	same as above, as well as Law 126/1975.
9	participate as an accomplice in a.m. activities	as above	Penal Code, Art. 187 and 187A (acts of terrorism)
10	assist in a.m. activities	as above	Penal Code, Art. 187 and 187A (acts of terrorism)
11	finance a.m. activities	as above	Penal Code, Art. 187 and 187A (acts of terrorism)
12	a.m. activities related to means of delivery	as above	Penal Code, Art. 187 and 187A (acts of terrorism)
13	involvement of non-State actors in a.m. activities	Law 3251/2004 (Official Gazette 127 Vol. A/9.7.2004) incorporates EU Decision of 13 June 2002 on the European Arrest Warrant, as well as Framework Decision of 13 June 2002 on Combating Terrorism.	Penal Code, Art. 187 and 187A (acts of terrorism)
14	Other		

OP2 - Chemical Weapons (CW)

	Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violations be penalized?	National legal framework YES // If YES, indicate source document of national implementation law	Enforcement: civil/criminal penalties and others YES // If YES, indicate source document	remarks
6	transport	Law 1741/1987 (ADR). Ministerial Decision 50941/40/1990 (ADR). Ministerial Decision 733/2004. Presidential Decree 104/1999	Law 2991/2002 (Art. 4)	
7	transfer	Covered by Ministerial Decision 176700/E3/26700: "Control of trafficking chemical, biological substances, technologies and animal pathogens, which are used for manufacturing chemical weapons", which incorporates into Greek legislation the latest guidelines by the Australian Group and the Tables of controlled goods and technologies decided by the Plenary of the Group	Law 2991/2002 (Art. 4)	2 years imprisonment & monetary fines
9	participate as an accomplice in a.m. activities	Depending on the case: Law 2991/02, article 4, paragraph 1, subparagraph d as well as by regulations of the penal code or antiterrorism legislation Law 3251/2004 Gov. Gazzette 127/A/9.7.2004	Penal Code, Art. 187 and 187A (acts of terrorism)	
11	finance a.m. activities	Depending on the case: Law 2991/02, article 4, paragraph 1, subparagraph d as well as by regulations of the penal code or antiterrorism legislation Law 3251/2004 Gov. Gazzette 127/A/9.7.2004	Penal Code, Art. 187 and 187A (acts of terrorism)	

12	a.m. activities related to means of delivery	The term "means of delivery", as it is defined in Resolution 1540 (2004) of the UN Security Council regarding chemical weapons, is covered by Law 2991/02, article 1, paragraph 7	Penal Code, Art. 187 and 187A (acts of terrorism)
13	involvement of non-State actors in a.m. activities	Law 3251/2004 (Official Gazette 127 Vol. A/9.7.2004) incorporates EU Decision of 13 June 2002 on the European Arrest Warrant, as well as Framework Decision of 13 June 2002 on Combating Terrorism.	Penal Code, Art. 187 and 187A (acts of terrorism)
14	Other	Greece ratified the CWC Convention with Law 2254/1994.	

OP2 - Nuclear Weapons (NW)

	Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violations be penalized?	National legal framework YES // If YES, indicate source document of national implementation law	Enforcement: civil/criminal penalties and others YES // If YES, indicate source document
1	manufacture/produce	Greece has ratified the NPT with Legislative Decree 437/70.	Penal Code, Art. 187 and 187A (acts of terrorism)
2	acquire	Greece has ratified the NPT with Legislative Decree 437/70.	as above
3	possess	Greece has ratified the NPT with Legislative Decree 437/70. Ministerial Decision 5408/E3/2362/F. NSG/31.08.1994	as above
4	stockpile / store	Greece has ratified the NPT with Legislative Decree 437/70. Ministerial Decision 125695/E3/5695/25.10.2000	as above
5	develop	Greece has ratified the NPT with Legislative Decree 437/70.	as above
6	transport	Greece has ratified the NPT with Legislative decree 437/70. Ministerial Decision 125695/E3/5695/25.10.2000	as above

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7	transfer	Greece has ratified the NPT with Legislative Decree 437/70 (Art. 2). Ministerial Decision 125695/E3/5695/25.10.2000	Violations of the law are punishable in accordance with the provisions of article 8, Law 936/79 which enforces EU Regulation 1334/2000. Both administrative and criminal penalties apply, such as 2 years imprisonment, fines, etc. Further Provisions are under consideration for possible inclusion in Law 2168/1993, currently under revision.
8	use	Greece has ratified the NPT with Legislative Decree 437/70 (Art. 4)	Penal Code, Art. 187 and 187A (acts of terrorism)
9	participate as an accomplice in a.m. activities		as above
10	assist in a.m. activities		as above
11	finance a.m. activities		as above
12	a.m. activities related to means of delivery		as above
13	involvement of non-State actors in a.m. activities	Law 3251/2004 (Official Gazette 127 Vol. A/9.7.2004) incorporates EU Decision of 13 June 2002 on the European Arrest Warrant, as well as Framework Decision of 13 June 2002 on Combating Terrorism.	as above

OP3 (a) and (b) - Account for/ Secure/ Physically protect BW including related materials

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violations be penalized?	National legal framework YES // If YES, indicate source document	Enforcement: civil/criminal penalties and others YES // If YES, indicate source document
1	Measures to account for production	Greece signed the BTWC in 1972 and ratified it in 1975 (Law 126/1975). Further Guidelines are under consideration for possible inclusion in Law 2168/1993, currently under revision.	Violations are punishable in accordance with article 8 of Law 936/1979 which foresees administrative and punitive sanctions. Also applicable are articles 187 and 187A (acts of terrorism) of the Penal Code.
2	Measures to account for use	same as above	same as above
3	Measures to account for storage	same as above	same as above
4	Measures to account for transport	Covered by Ministerial Decision 176700/E3/26700: "Control of trafficking chemical & biological substances, technology and animal pathogens, which are used for manufacturing chemical weapons", which incorporates into Greek legislation the latest guidelines by the Australian Group and the Tables of controlled goods and technologies decided by the Plenary of the Group.	same as above
5	Other measures for accounting		
6	Measures to Secure Production	Greece signed the BTWC in 1972 and ratified it in 1975 (Law 126/1975).	Violations are punishable in accordance with article 8 of Law 936/1979 which foresees administrative and punitive sanctions. Also applicable are articles 187 and 187A (acts of terrorism) of the Penal Code.
7	Measures to Secure Use	Greece signed the BTWC in 1972 and ratified it in 1975 (Law 126/1975).	same as above
10	Other measures for securing		
11	Regulations for physical protection of facilities/ materials/ transports		

12	Licensing/ registration of facilities/ persons handling biological materials		
13	Reliability check of personnel		
14	Measures to account for/ secure/ physically protect means of delivery		
15	Regulations for genetic engineering work		
16	Other legislation/ regulations related to safety and security of biological materials	Greece signed the BTWC in 1972 and ratified it in 1975 (Law 126/1975).	Violations are punishable in accordance with article 8 of Law 936/1979 which foresees administrative and punitive sanctions. Also applicable are articles 187 and 187A (acts of terrorism) of the Penal Code.
17	Other		

OP3 (a) and (b) - Account for/ Secure/ Physically protect CW including related materials

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violations be penalized?	National legal framework YES // If YES, indicate source document	Enforcement: civil/criminal penalties and others YES // If YES, indicate source document
1	Measures to Account for Production	Law 2991/27.2.2002 Article 8 para. 1. The SEVESO Directive is enforced by Common Ministerial Decision 5697/590 (G.G. 405/B/29.3.2000)	Law 2991/27.2.2002 Article 8 para. 4
2	Measures to Account for Use	Law 2991/27.2.2002 Article 8 para. 1. The SEVESO Directive is enforced by Joint Ministerial Decision 5697/590 (G.G. 405/B/29.3.2000).	Law 2991/27.2.2002 Article 8 para. 4
3	Measures to account for storage	Guideline 96/82 SEVESO II - Joint Ministerial Decision 5679/590 (Government Gazette 405/B/29-3-2000). Law 2991/2002 calls for an annual report for the SEVESO II chemicals (Table 1), stating the amount of each chemical that was stored.	Law 2991/2002.
4	Measures to account for transport	Law 2991/2002 calls for an annual report for chemicals of Table 1 (stating the amount of each chemical that was received and/or delivered for national transportation), and Table 2 (the quantity of the chemicals delivered and transported into Greece).	Law 2991/2002.
5	Other measures for accounting		
6	Measures to Secure Production		

7	Measures to Secure Use	
10	Other measures for securing	
11	Regulations for physical protection of facilities/ materials/ transports	Guideline 96/82 SEVESO II - Joint Ministerial Decision 5679/590 (Government Gazette 405/B/29-3-2000) - Joint ministerial Decree 3329 (Government Gazette 132/B/21-2 1989)
13	Reliability check of personnel	Law 2516/1997 for the protection of industrial installations.
14	Measures to account for/ secure/ physically protect means of delivery	
17	Account for, secure or physically protect old chemical weapons	
18	Other legislation/ regulations controlling chemical materials	
19	Other	

OP3 (a) and (b) - Account for/ Secure/ Physically protect NW including related materials

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violations be penalized?	National legal framework YES // If YES, indicate source document	Enforcement: civil/criminal penalties and others YES // If YES, indicate source document
4	Measures to account for transport	Safeguard Agreement with IAEA, ratified with Legislative Decree 181/1974.	Violations of the law are punishable in accordance with the provisions of article 8, Law 936/79 which enforces EU Regulation 1334/2000. Both administrative and criminal penalties apply, such as 2 years imprisonment, fines, etc. Further Provisions are under consideration for possible inclusion in Law 2168/1993, currently under revision. Also applicable are: articles 187 and 187A of the Penal Code.
5	Other measures for accounting	Ministerial Decision 14632 (Gov. Gazzette 539 B'/19.07.1991 - Radiological Guidelines)	as above
6	Measures to secure production	Legislative Decree 181/1974 (Article 8) which is currently under review.	as above
7	Measures to secure use	as above	as above
8	Measures to secure storage	as above	as above
10	Other measures for securing	as above	as above
11	Regulations for physical protection of facilities/ materials/ transports	Law 1636/1986 (CPPNM ratification)	as above
13	Reliability check of personnel		

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Measures to account for / secure/ 14 physically protect means of delivery	Law 1636/1986 (CPPNM ratification)	as above
15 National regulatory authority	Law 1733/1987 (Establishing the Greek Atomic Energy Commission - GAEC)	as above
19 Other Agreements related to IAEA	"Nuclear Security Cooperation and Support Arrangement" between IAEA and GAEC (10.03.2004)	as above
Additional national legislation/ 20 regulations related to nuclear materials including CPPNM	Safeguard Agreement with IAEA, ratified with Legislative Decree 181/1974 and Law 2805/2000 (Ratification of the Additional Protocol). Law 1636/1986 (CPPNM ratification).	as above
21 Other		

OP3 (c) and (d) and related materials from OP6 and OP10 - Controls of BW including Related Materials

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/ import and other transfers of BW and Related Materials? Can violations be penalized?	National legal framework YES // If YES, indicate source document	Enforcement: civil/criminal penalties and others YES // If YES, indicate source document
2	Technical support of border control measures	Provisions of Law 2168/1993 (which is currently under revision).	Violations are punishable in accordance with the provisions of Law 936/79. Also applicable are articles 187 and 187A of the Penal Code (acts of terrorism)
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Ministerial Decision 176700/E3/26700 "Transfer control of Chemical, biological materials, delivery systems of pathogenic organisms used for producing chemical weapons" *.	
7	Individual licensing	Ministerial Decision 176700/E3/26700 "Transfer control of Chemical, biological materials, delivery systems of pathogenic organisms used for producing chemical weapons". **Ministerial Decision 176700 covers both Chemical & Biological Agents, which can be used for the production of Chemical and Biological weapons, respectively.*	
8	General licensing	A General License is forbidden.	
10	Licensing of deemed export/ visa	Ministerial Decision 176700/E3/26700 (applicable for general licensing for both chemical and biological, dual use export cases). Also Article 8 of Law 2991/2002.	

17	End-user controls	Ministerial Decision 125695/E3/5695/25.10.2000, control of dual use products transfer.
18	Catch all clause	Ministerial Decision 125695/E3/5695/25.10.2000, control of dual use products transfer.
19	Intangible transfers	Ministerial Decision 125695/E3/5695/25.10.2000, control of dual use products transfer.
23	Control of providing funds	Law 2331/1995 (Money Laundering) which is currently under revision
24	Control of providing transport services	
26	Extraterritorial applicability	Non applicacable
27	Other	

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OP3 (c) and (d) and related materials from OP6 and OP10 - Controls of CW including Related Materials

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/ import and other transfers of CW and Related Materials? Can violations be penalized?	**National legal framework YES // If YES, indicate source document**	**Enforcement: civil/criminal penalties and others YES // If YES, indicate source document**
2	Technical support of border control measures	Provisions of Law 2168/1993 (which is currently under revision).	Violations are punishable in accordance with the provisions of Law 936/79. Also applicable are articles 187 and 187A of the Penal Code (acts of terrorism)
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Ministerial Decision 176700/E3/26700 "Transfer control of Chemical, biological materials, delivery systems of pathogenic organisms used for producing chemical weapons".	as above
4	Enforcements agencies/ authorities	"National Authority of Chemical Weapons" (established by Law 2991/2002).	as above
7	Individual licensing	Ministerial Decision 176700/E3/26700 "Transfer control of Chemical, biological materials, delivery systems of pathogenic organisms used for producing chemical weapons". **Ministerial Decision 176700 covers both Chemical & Biological Agents, which can be used for the production of Chemical and Biological weapons, respectively.*	as above

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8	General licensing	A General License is forbidden.	as above
10	Licensing of deemed export/ visa	Ministerial Decision 176700/E3/26700 (applicable for general licensing for both chemical and biological, dual use export cases). Also Article 8 of Law 2991/2002.	as above
17	End-user controls	Ministerial Decision 125695/E3/5695/25.10.2000, control of dual use products transfer.	as above
18	Catch all clause	Ministerial Decision 125695/E3/5695/25.10.2000, control of dual use products transfer.	as above
19	Intangible transfers	Ministerial Decision 125695/E3/5695/25.10.2000, control of dual use products transfer.	as above
23	Control of providing funds	Law 2331/1995 (Money Laundering) which is currently under revision	as above
24	Control of providing transport services		as above
26	Extraterritorial applicability		
27	Other		

OP3 (c) and (d) and related materials from OP6 and OP10 - Controls of NW including Related Materials

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/ import and other transfers of NW and Related Materials? Can violations be penalized?	National legal framework YES // If YES, indicate source document	Enforcement: civil/criminal penalties and others YES // If YES, indicate source document
2	Technical support of border control measures	Provisions of Law 2168/1993 (which is currently under revision).	Violations are punishable in accordance with the provisions of Law 936/79. Also applicable are articles 187 and 187A of the Penal Code (acts of terrorism)
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Ministerial Decision 125695/E3/5695/25.10.2000	as above
4	Enforcements agencies/ authorities	Law 1733/1987 (Establishing the Greek Atomic Energy Commission - GAEC)	as above
7	Individual licensing	Ministerial Decision 5408/E3/2362/F. NSG/31.08.1994	as above
8	General licensing	Ministerial Decision 5408/E3/2362/F. NSG/31.08.1994	as above
10	Licensing of deemed export/ visa	Ministerial Decision 5408/E3/2362/F. NSG/31.08.1994	as above
17	End-user controls	Ministerial Decree 125695/E3/5695/25.10.2000, control of dual use products transfer.	as above

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18	Catch all clause	Ministerial Decision 125695/E3/5695/25.10.2000, control of dual use products transfer.	as above
19	Intangible transfers	Ministerial Decision 125695/E3/5695/25.10.2000, control of dual use products transfer.	as above
23	Control of providing funds	Law 2331/1995 (Money Laundering) which is currently under revision	as above
24	Control of providing transport services		as above
25	Control of importation	Legislative Decree 181/1974.	Greek Atomic Energy Commission together with the General Customs Directorate deploy devices aiming at detecting nuclear, radiological and chemical materials in border regions.
26	Extraterritorial applicability		
27	Other		

OP6, 7,and 8(d) - Control lists, Assistance, Information

	Can information be provided on the following issues?	YES	Information
1	Control lists - items (goods/ equipment/ materials/ technologies)		According to Greek legislation, the following items, regulated by export control mechanisms, are registered in control lists: Dual Use items and technologies described in Annex I of EC Regulation 1504/2004 (amendment of Regulation 1334/2000), items and technologies included in the lists of the Australian Group, Nuclear Supplies Group and Missiles Technology Control Regime.
2	Control lists - others		The Common Military list of the European Union has also been adopted.
3	Assistance offered		Whenever assistance is requested by a third country, it will be provided within the framework of our competency.
4	Assistance requested		
6	Information for Industry		The Ministry of Economy and Finance (International Economic Issues Directorate) is in close contact with the export industry.
7	Information for the public		The Ministry of Finance can be contacted from Monday through Friday, during working hours (the website of the Ministry is currently being created).

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